



# Department of Justice

United States Attorney's Office  
District of North Dakota

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## **White Shield Man Sentenced for Voluntary Manslaughter**

**BISMARCK** - Acting United States Attorney Lynn Jordheim announced that on January 25, 2010, **Duane Bear**, 20, of White Shield, North Dakota, was sentenced before United States District Court Judge Daniel L. Hovland on a charge of voluntary manslaughter.

Judge Hovland sentenced Bear to serve six years and six months in federal prison, to be followed by three years of supervised release. Bear was ordered to pay restitution of \$5534 and to pay a \$100 special assessment to the Crime Victim's Fund.

Bear pleaded guilty to the charge on November 2, 2009. The incident occurred on December 10, 2008, in White Shield. Bear was at his residence along with co-defendant, Jesse McKenna, the victim and another person. The group was consuming alcohol when the victim and Bear began to argue. The victim pulled out a small switch-blade knife and Bear grabbed a scissors. McKenna hit the victim in the head with a fist, knocking the victim to the ground and causing the knife to fall out of his hand. The victim was then kicked in the head, face, and body. McKenna and Bear picked up the victim, who was unconscious and unable to walk, and carried him upstairs from the basement of the home.

They took the victim outside and placed him onto the snow-covered ground. The victim was wearing only a t-shirt, pants, and shoes, while the temperatures during the night were in the low- to mid-twenties. The next morning a nearby resident observed the victim lying outside in the snow. Emergency personnel were called and determined the victim was deceased. The cause of death was determined to be systemic hypothermia due to exposure to cold ambient temperatures, with alcohol intoxication a significant contributing factor.

The case was investigated by the Federal Bureau of Investigation and Three Affiliated Tribes Police Department.

Sentencing for Jesse McKenna is scheduled for February 8, 2010, at 3:30 p.m. at United States District Court, Bismarck.

Assistant United States Attorney Rick Volk prosecuted the case.

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